



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,627	05/15/2001	Juhani Murto	4208-4010	8023
27123	7590	12/21/2004	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			HO, THOMAS M	
			ART UNIT	PAPER NUMBER
			2134	
DATE MAILED: 12/21/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,627

Applicant(s)

MURTO ET AL.

Examiner

Thomas M Ho

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 15 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/ March 04, 2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. **Claims 1-34 are pending.**

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8, 19, and 30 are rejected under 35 U.S.C. 112, second paragraph.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: any method for how establishing the geographic location of a wireless device is to use a cellular ID or how it is to be included.

Claim 19 is rejected for the same reasons as claim 8.

Claim 30 recites the limitation "abbreviated search handle". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2134

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen et al., US patent 6,014,090. and "UDDI Technical White paper".

Claims 10-29, 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen et al., US patent 6,014,090. and "UDDI: an XML web service."

In reference to claim 1:

Rosen et al. discloses a method to enable a wireless device to discover Internet businesses or services by accessing the Universal Description, Discovery, and Integration (UDDI) registry, comprising:

- Establishing a geographical location for the wireless device; (Column 3, lines 3-12)
- Appending the geographical location to a service discovery request so that responses to the query are dependent on the established geographical location, where the geographic location is appended to a request for the discovery request. (Column 4, lines 60-67)

Rosen et al. fails to explicitly disclose

- Forming a query to the UDDI registry on the wireless device;

Art Unit: 2134

Rosen et al. (Column 5, lines 29-44) however does disclose forming requests or queries to servers.

“UDDI Technical White paper” discloses forming a query to the UDDI registry for information through the inquiry API. (Page 8, “The Inquiry API”)

“UDDI Technical White paper” discloses the UDDI protocol, a public protocol created by the joint efforts of IBM, Microsoft, and Ariba Inc. as a web service in the format of “a distributed registry of businesses implemented in a common XML format” (Page 2, Paragraph 5) which provides the groundwork and tools necessary to being able to “locate parties that can provide a specific product or service at a given price or within specific geographic boundaries in a given timeframe.” (Page 4, paragraph 5)

“UDDI Technical White paper” (page 3, figure 1) teaches that UDDI is intended to be used as a next layer over the common Internet protocols such as HTTP and TCP/IP.

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services that could be accessed from a wireless device in order to provide the advantages of the UDDI protocol.

Art Unit: 2134

In reference to claim 2:

“UDDI Technical White paper” (Page 8, “The Inquiry API”) discloses the method of claim 1, wherein the method is embodied as programmed instructions executed within the user’s wireless device to query the UDDI registry, where the inquiries are written and embodied as programmed instructions using the inquiry API (Application Programmer Interface.)

In reference to claim 3:

Rosen et al. discloses the method of claim 1, wherein the method is embodied as programmed instructions executed within a separate knowledge engine server to query the UDDI registry in response to commands from the user’s wireless device, where the separate knowledge server is the Resource server which actually first acquires the Internet information. (Column 4, lines 2-18)

In reference to claim 4:

Rosen et al. (Column 3, lines 3-12) discloses the method of claim 1, wherein establishing the geographical location of a wireless device includes a Global Positioning System (GPS) coordinate, where the GPS system is part of the mobile communication device. (Figure 1, Item 30)

In reference to claim 5:

Art Unit: 2134

Rosen et al. fails to explicitly disclose the method of claim 1, wherein establishing the geographical location of a wireless device utilizes Mobile-Based Enhanced Observed Time Difference.

The Examiner takes official notice that Enhanced Observed Time Difference or E-OTD was well known to those of ordinary skill in the art at the time of invention. E-OTD has an architecture associated with GSM and is known to be a mobile based method.

It would have been obvious to one of ordinary skill in the art to use E-OTD as an additional positioning mechanism to avoid using GPS satellites if they weren't available, through the use of a GSM based mechanism.

In reference to claim 6:

Rosen et al. (Column 3, lines 3-12) discloses the method of claim 1, wherein establishing the geographical location of a wireless device utilizes a gateway mobile location center, where the gateway mobile location system is the GPS satellite.

In reference to claim 7:

Rosen et al. (Column 3, lines 3-12) discloses the method of claim 1, wherein establishing the geographical location of a wireless device utilizes a gateway mobile location center, where the gateway mobile location system is the GPS satellite.

In reference to claim 9:

Art Unit: 2134

Rosen et al. (Column 4, lines 31-43) & (Column 4, lines 2-5) discloses the method of claim 1, wherein the server caches files accessed from web sites, for selective forwarding to the user's wireless device, where the server stores the files from the websites and later forwards the information to the wireless mobile.

In reference to claim 10:

Rosen et al. discloses a method to enable a wireless device to discover internet businesses or services by accessing the Universal Description, Discovery, and Integration (UDDI) registry, comprising:

- entering a location handle that will be associated with a geographic location of the wireless device, where the location handle can be entered through a bar code reader as the geographic location. (Column 3, lines 13-20)
- receiving location data and linking the location data to the location handle (Column 3, lines 13-20)
- (c) entering at least one query term. (Column 5, lines 28-44) & (Column 3, lines 13-20)

Rosen et al. fails to explicitly disclose the use of UDDI and its associated XML implementation. In particular Rosen et al. fails to disclose:

- o sending a find_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data.

Art Unit: 2134

- o receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find_business query and location data.

“UDDI: an XML web service” discloses:

- o sending a find_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data, where the XML inquiry is a find_business inquiry (page 1, “What XML do you Post”)
- o receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find_business query and location data. (page 1, “What do you get back”)

“UDDI: an XML web service” discloses that UDDI, the Universal Description, Discovery, and Integration Service is an online Web Service that one can use from their applications to dynamically discover other online services, through an XML interface. (Page 1, near the top where it says : “The Universal Description, Discovery, and Integration Service is now up and running at Microsoft, IBM, and Ariba”)

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

Art Unit: 2134

It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services that could be accessed from a wireless device in order to provide the advantages of the UDDI protocol.

In reference to claim 11:

“UDDI: an XML web service” discloses the method of claim 10, which further comprises:

- selecting an item from the returned businessList message, where the businesskey item is selected. (Page 2, paragraph 1)
- drilling down in the selected business' entity data (Page 2, paragraph 1)
- sending a find_service XML inquiry to the UDDI registry (Page 2, after paragraph 1 “<find_service generic='1.0' xmlns...”)
- receiving back from the UDDI registry, a serviceList message that contains a list of names of services offered by the selected business in the geographical location, where the list of services is stored in the servicekey. (Page 2, after paragraph 1 “This returns the information about this service...”)

In reference to claim 12:

“UDDI: an XML web service” discloses the method of claim 11, which further comprises:

- selecting an item from the returned serviceList message, where the servicekey is selected from the servicelist. (Page 2, where it says “Then you can use the

Art Unit: 2134

servicekey to get the details about this particular service”) Note that servicekey is an item from the servicelist in the XML that precedes it.

- o drilling down in the selected service data, where the data is drilled down for even more information. (Page 2, where it says “Then you can use the servicekey to get the details about this particular service”)
- o sending a *get_serviceDetail_XML* inquiry to the UDDI registry; (Page 2, The XML set of statements following the sentence “Then you can use the servicekey to get the details about this particular service”)
- o receiving back from the UDDI registry, a serviceDetail message that includes binding Template data that contains the details of the selected service. (Page 2, At the bottom in the series of XML statements after “This returns the following <bindingTemplates>” where it says “<servicedetail generic=”1.0”)

In reference to claim 13:

“UDDI: an XML web service” discloses the method of claim 12, which further comprises:

Including in the bindTemplate data an accessPoint URL, which is the URL of the selected service on the website of the selected business.

(Page 2, near the bottom where it says: “This returns the following <bindingTemplates>”, looking further down in the XML code, you can see <accessPoint URLType=”https”>https://uddi.Microsoft.com/publish</accesspoint>)

In reference to claim 14:

Art Unit: 2134

“UDDI: an XML web service” discloses the method of claim 13, which further comprises displaying the accessPoint URL to the user.

(Page 2, near the bottom where it says: “This returns the following <bindingTemplates>”, looking further down in the XML code, you can see <accessPoint URLType=”https”>https://uddi.Microsoft.com/publish</accesspoint>, note that this is the XML information returned to the user)

Claim 15 is rejected for the same reasons as claim 4.

Claim 16 is rejected for the same reasons as claim 5.

Claim 17 is rejected for the same reasons as claim 6.

Claim 18 is rejected for the same reasons as claim 7.

In reference to claim 20:

Rosen et al. discloses the method of claim 13, which further comprises:

(a) storing the location handle in a user profile with the location data, where the location handle is stored and sent with a user profile. (Column 4, line 66 – Column 5, line 5)

(b) providing the user with a shortcut for appending location data, in response to the users’ entry of abbreviated location handle to the wireless device, where the data is appended by being directly obtained by the GPS unit and sent to the telecommunications network. (Column 4, lines 53-65)

In reference to claim 21:

Art Unit: 2134

Neither Rosen et al. nor "UDDI Technical White paper" explicitly disclose the method of claim 10 which further comprises pasting a user location into the at least one query term by pressing a hotkey button connected to the wireless device.

The Examiner takes official notice that pasting a user location into a query term by pressing a hot key button was well known at the time of invention.

One example is if a user were to goto www.mapquest.com or www.zip2.com, and copy and past an address into one of the web fields, using Shift+Insert.

It would have been obvious to one of ordinary skill in the art at the time of invention to press a hotkey to paste a user location into at least one query term in order to save the user the time of having to type the user location in.

In reference to claim 22:

Rosen et al. fails to disclose the method of claim 10, wherein the location data is updated in accordance with the geographic location of the wireless device.

The Examiner takes official notice that updating location data in accordance with the location of a wireless device was well known at the time of invention.

Examples are homing beacons or devices, or the mobile unit system of US patent 5579535. (Column 4, line 44-48)

Art Unit: 2134

It would have been obvious to one of ordinary skill in the art to update the location data in accordance with the geographic location of the wireless device in order to obtain information that was appropriate with user's current location.

In reference to claim 23:

Rosen et al. (Column 5, lines 28-35) discloses the method of claim 22, which further comprises storing the at least one query term and identifying the stored term with a search handle, where the query term is a geographic location stored in memory and is identified as a search handle in that localized information with respect to the geographic location is given. (Column 5, lines 36-42)

In reference to claim 24:

The method of claim 23, wherein the search handle may be replayed by the user using abbreviated terms, wherein the replay of the search handle is appended with updated geographical location data.

The Examiner takes official notice that abbreviated terms in a search handle was well known in the art at the time of invention.

This is equivalent to a user instead of entering 123 maple street, entering in 123 Maple St. Utilities such as mapquest, and zip.com, and yahoo maps, all allow for the common geographic indicator abbreviations.

Art Unit: 2134

Rosen et al. (Column 6, lines 40-45) discloses updating localized information that is time dependent to the user with a replay of a further refined search handle for more specific information.

It would have been obvious to one of ordinary skill in the art at the time of invention to replay a search handle with more abbreviated terms to provide convenience to the user, so there would be less typing to do.

In reference to claim 25:

Rosen et al. discloses a method to enable a wireless device to discover Internet businesses or services by accessing the Universal Description, Discovery and Integration (UDDI) registry, comprising:

- entering a search handle in a wireless device that will be associated with the user's search strategy, where the search handle entered may be selections to further obtain more specific information regarding his or her search. (Column 6, lines 33-44)
- entering a location handle that will be associated with the user's location, where the location handle can be entered through a bar code reader as the geographic location. (Column 3, lines 13-20)
- transmitting the search handle, location handle and query terms to a knowledge engine server, where the knowledge engine server is the resource server and the

Art Unit: 2134

geographic identifier and query is transmitted though the network with the query.

(Column 5, lines 28-35) & (Figure 2)

- retrieving documents resulting from the search of the web sites (Column 4, lines 1-17)
- applying a location filter prescribed by the user and stored in the user's profile, to limit the returned documents to only those of particular interest or location to the user.(Column 6, lines 25-33), where the information is filtered so that only geographically localized information is provided.

Rosen et al. fail to explicitly disclose

- entering query terms in the wireless device as at least part of a business name.
- searching websites using URLs contained in stored binding templates,

“UDDI: an XML web service” discloses

- entering query terms in the wireless device as at least part of a business name, where the query or inquiry to the UDDI registry can include a business name. (page 1, “What XML do you post”, <name>Microsoft<name>).
- searching websites using URLs contained in stored binding templates,where the websites returned in the bindingtemplates are classified as accesspoints. (pages, 2-3, <bindingtemplates>)

Art Unit: 2134

- Rosen et. al. (Column 6, lines 1-44) discloses that out of a list of URLs, the user may search within these URLs to find further information regarding a business or refine the set of information already found.

“UDDI: an XML web service” discloses that UDDI, the Universal Description, Discovery, and Integration Service is an online Web Service that one can use from their applications to dynamically discover other online services, through an XML interface. (Page 1, near the top where it says : “The Universal Description, Discovery, and Integration Service is now up and running at Microsoft, IBM, and Ariba”)

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services that could be accessed from a wireless device in order to provide the advantages of the UDDI protocol.

In reference to claim 26:

Rosen et al. (Column 5, line 60 – Column 6, line 5) discloses the method of claim 25, which further comprises sorting the documents in a list having an order established in accordance with user’s profile or location.

Art Unit: 2134

In reference to claim 27:

Rosen et al. (Column 6, lines 1-4) discloses the method of claim 26, which further comprises storing the filtered documents and the sorted list in a cache for later, selective accessing by the user, where the set of documents are filtered in accordance with the profile and those results are stored.

In reference to claim 28:

Rosen et al. discloses the method of claim 27, which further comprises receiving the user's selection from the list (Column 6, lines 13-15) and updating the user's profile with the user's preferences or location. (Column 6, lines 33-44)

In reference to claim 29:

Rosen et al. (Column 6, lines 33-44) discloses the method of claim 28, which further comprises associating the search handle with user's selections and with the user's search strategy

- o Storing that association in user's profile.
- o Where the search is further refined with the user's selections, and those selections are stored in the profile.

Claim 31 is rejected for the same reasons as claim 1.

Claim 32 is rejected for the same reasons as claim 10.

Claim 33 is rejected for the same reasons as claim 25.

Art Unit: 2134

In reference to claim 34:

Rosen et al. discloses a system to enable a wireless device to discover Internet businesses or services by accessing the Universal Description, Discovery and Integration (UDDI) registry, comprising:

- A processor; (Figure 1, Item 111)
- A memory coupled to the processor (Figure 1, Item 112), programmed to perform the steps of:
 - Entering a location handle that will be associated with a geographic location of the wireless device (Column 3, lines 13-20), wherein the geographical location is further associated with the hotkey switch;
 - Receiving location data and linking the location data to the location handle and hotkey switch (Column 3, lines 3-13)
 - Entering at least one query term, where the entered term is the geographic location. (Column 5, lines 28-44)

The Examiner takes official notice that Hotkey switches were well known in the art at the time of invention. Examples are the hotkeys for cutting CTRL+X, and Pasting, Shift+Insert. Associating the location with a hotkey would merely involving cutting the location information to the clipboard using a hotkey. Appending the location to a query or request would merely involve pasting the location using a hotkey. Using hotkey shortcuts for tasks, such as Alt+F4 to close windows has been disclosed in the Windows environment since its inception.

Art Unit: 2134

Rosen et al. fails to explicitly disclose the use of UDDI and its associated XML implementation. In particular Rosen et al. fails to disclose:

- sending a find_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data.
- receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find_business query and location data.

UDDI: an XML Web Services discloses:

- Sending a find_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data, where the XML inquiry is a find_business inquiry (page 1, “What XML do you Post”)
- Receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find_business query and location data. (page 1, “What do you get back”)

“UDDI: an XML web service” discloses that UDDI, the Universal Description, Discovery, and Integration Service is an online Web Service that one can use from their applications to dynamically discover other online services, through an XML interface. (Page 1, near the top where it says : “The Universal Description, Discovery, and Integration Service is now up and running at Microsoft, IBM, and Ariba”)

Art Unit: 2134

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services that could be accessed from a wireless device in order to provide the advantages of the UDDI protocol and to allow pasting of the geographical location to the query using the hotkey switch to provide the convenience of the user cutting and pasting the geographic location info instead of having to enter it each time.

Conclusion

6. The following art not relied upon is made of record:

- “Universal Description, Discovery and Integration”, December 2000, Matthew J. Dovey, Oxford University, discloses basic well known facts about UDDI and what it is.
- “LCS Stage 2 based on E-OTD”, May 5, 6th, 1999, Sophia-Antipolis, discloses information about E-OTD as a positioning mechanism.
- US patent, 5912878 discloses a mobile unit employing TCP/IP.
- US patent, 6097313 discloses an information exchange system to mobile units where localized information is provided regarding traffic information.
- US patent, 6625456 discloses passing location based associated messages to mobile handsets.

Art Unit: 2134

- US patent, 6647257 discloses messages targeted to a user of a wireless mobile system on the basis of the location of a terminal at the time of mobile communication
- US patent, 6243596 discloses a cell phone that can access the internet.
- US patent, 6415291 discloses a system where a user may remotely access a central database.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30am – 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached at (571)272-3535. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-5484.

TMH

December 10th, 2004


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100